

LAW OFFICES OF DALE K. GALIPO

Dale K. Galipo (SBN 144074)
dalekgalipo@yahoo.com
Benjamin S. Levine (SBN 342060)
blevine@galipolaw.com
21800 Burbank Boulevard, Suite 310
Woodland Hills, CA 91367
Telephone: (818) 347-3333
Facsimile: (818) 347-4118

Attorneys for Plaintiffs D.S., C.S., J.S., and M.S.

Roger A. Colvin (SBN 068773)
rcolvin@acglawfirm.com

Christy M. Garcia (SBN 316570)

ALVAREZ-GLASMAN & COLVIN

13181 Crossroads Parkway North, Suite 400 – West Tower
City of Industry, California 91746
Tel. (562) 699-5500
Fax (562) 692-2244

Attorneys for Defendants

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

D.S., a minor by and through his
guardian ad litem Elsa Acosta,
individually and as successor-in-interest
to William Salgado; C.S., a minor by
and through his guardian ad litem Elsa
Acosta, individually and as successor-
in-interest to William Salgado; J.S., a
minor by and through her guardian ad
litem Elsa Acosta, individually and as
successor-in-interest to William
Salgado; M.S., a minor by and through
her guardian ad litem Elsa Acosta,
individually and as successor-in-interest
to William Salgado,

Plaintiffs,

v.

**Case No. 2:23-cv-09412-CBM-AGR
(Consolidated with Case No. 2:24-cv-
04898-CBM-AGR)**

*District Judge Consuelo B. Marshall
Magistrate Judge Alicia G. Rosenberg*

**STIPULATION TO VOLUNTARILY
DISMISS CERTAIN CLAIMS WITH
PREJUDICE AND PRECLUDE
FILING OF MOTION FOR
SUMMARY JUDGMENT**

*[Proposed Order filed concurrently
herewith]*

1 CITY OF HUNTINGTON PARK;
2 NICK NICHOLS; RENE REZA;
3 MATTHEW RINCON; APRIL
4 WHEELER; and DOES 5 through 10,
5 inclusive,

6 Defendants.

7 WILLIAM OMAR CASTILLO
8 MIRANDA, an individual and as
9 Successor in Interest for Decedent,
10 WILLIAM RENE SALGADO
11 MIRANDA; JUANA MARIA
12 MIRANDA, an individual and as
13 Successor in Interest for Decedent,
14 WILLIAM RENE SALGADO
15 MIRANDA; OSMAR ANTONIO
16 CASTILLO BLANDON, a minor by
17 and through Guardian ad litem,
18 EUGENIA GUADELUPE ESPINOZA
19 SALMERON; EUGENIA
20 GUADELUPE ESPINOZA
21 SALMERON, an individual; KARLA
22 VANESSA BLANDON, an individual,

23 Plaintiffs,

24 v.

25 CITY OF HUNTINGTON PARK;
26 RENE REZA, an individual; APRIL
27 WHEELER, an individual; MATTHEW
28 RINCON, an individual; NICK
NICHOLS, an individual; JOSE A.
YAMASAKI, an individual; SAUL
RODRIGUEZ, an individual; and
DOES 1 TO 10, inclusive,

Defendants.

TO THE HONORABLE COURT:

IT IS HEREBY STIPULATED BY AND BETWEEN Plaintiffs D.S., C.S., J.S., and M.S. (“Salgado Plaintiffs”); and Defendants City of Huntington Park, Rene Reza, April Wheeler, Matthew Rincon, and Nick Nichols (“Defendants”)—the parties to the action *D.S. et al. v. City of Huntington Park et al.*, No. 2:23-cv-09412-CBM-AGR (the “Salgado Action”)—by and through their attorneys of record, as follows:

WHEREAS, the Salgado Plaintiffs filed their original Complaint on November 7, 2023 [Dkt. 1];

WHEREAS, the Salgado Plaintiffs filed their First Amended Complaint, which is the operative complaint in the Salgado Action, on July 10, 2024 [Dkt. 31-1];

WHEREAS, the Salgado Plaintiffs have agreed to voluntarily dismiss the following claims in their entirety, with prejudice:

- a. Fourth Amendment – Denial of Medical Care (Claim 2)
- b. Request for Punitive Damages

WHEREAS, in exchange for the Salgado Plaintiffs’ voluntary dismissal of the claims identified above, Defendants agree that Defendants will not file any motion for summary judgment or partial summary judgment in the Salgado Action;

WHEREAS, the Parties to the Salgado Action agree that this stipulation has been reached by the Salgado Plaintiffs and by Defendants and does not affect the separate action, *William Omar Castillo Miranda et al. v. City of Huntington Park et al.*, No. 2:24-cv-04898-CBM-AGR, with which the Salgado Action has been consolidated [*see* Dkt. 38];

///

///

1 THEREFORE, and based on the foregoing, the Parties to the Salgado Action
2 hereby stipulate and jointly request an order:

- 3 a. Dismissing, in its entirety and with prejudice, the Salgado Plaintiffs’
4 claim for Fourth Amendment – Denial of Medical Care (Claim 2);
5 b. Dismissing, in their entirety and with prejudice, the Salgado Plaintiffs’
6 requests for punitive damages; and
7 c. Precluding the filing of any motion for summary judgment or partial
8 summary judgment in the Salgado Action by any Party.

9 The Parties to the Salgado Action agree to bear their own costs and fees
10 incurred in connection with the above-listed claims.

11
12 **IT IS SO STIPULATED.**

13
14 DATED: February 28, 2025

LAW OFFICES OF DALE K. GALIPO

15
16 By: /s/ Benjamin S. Levine

Dale K. Galipo

Benjamin S. Levine¹

17 Attorneys for Plaintiffs D.S., C.S.,
18 J.S., and M.S.
19

20 DATED: February 28, 2025

ALVAREZ-GLASMAN & COLVIN

21
22 By: /s/ Roger A. Colvin

Roger A. Colvin

Christy M. Garcia

23 Attorneys for Defendants
24
25
26

27 ¹ Pursuant to Local Rule 5-4.3.4, as the filer of this document, I attest that all
28 other signatories listed, and on whose behalf the filing is submitted, concur in the
filing’s content and have authorized the filing.